



EUROPEAN COMMISSION  
DG Competition

***Case M.8156 - CLAYTON DUBILIER & RICE / WM  
HOLDING / BUT***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 03/10/2016

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EUROPEAN COMMISSION

Brussels, 3.10.2016  
C(2016) 6440 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties**

Dear Sirs,

**Subject: Case M.8156 – CLAYTON DUBILIER & RICE / WM HOLDING / BUT  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 9 September 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Clayton, Dubilier & Rice, Fund IX, L.P. and affiliated investment funds, part of the Clayton, Dubilier & Rice Group ('CD&R', United States), and WM Holding GmbH ('WM', Austria) indirectly acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Décomeubles Partners SAS ('BUT', France) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for CD&R: a private equity investment firm which has investments in various sectors of the economy,

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 344, 20.9.2016, p. 9.

- for WM: WM is a holding company affiliated with an Austrian individual who is the founder of a trust that indirectly holds a 50% stake in an undertaking active in the retailing of furniture, decoration and household goods,
  - for BUT: retailing of furniture, decoration and household goods as well as domestic appliances and consumer electronics primarily in France.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.<sup>4</sup>
4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*  
*Johannes LAITENBERGER*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.